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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DALE K. GULBRANSEN,
Petitioner,
vs.
CRAIG FARWELL, *et. al.*,
Respondents.

3:05-cv-0544-PMP-VPC
ORDER

Having read and considered Respondents’ Motion for Clarification of Court Order (Doc. #72), and Petitioner’s Opposition thereto (Doc. #74), and good cause appearing,

IT IS ORDERED that Respondents’ Motion for Clarification of Court Order (Doc. #72) is **GRANTED** to the extent that the 120 days deadline set forth in this Court’s Order (Doc. #65) within which Petitioner Gulbransen must either receive a new trial or be released from custody, is hereby clarified to provide that the 120 days shall be deemed to have commenced from the date of service of the Court’s Order (Doc. #65) on the Clark County District Attorney’s Office on September 24, 2010. This Court defers to the state district court to determine when the retrial of Petitioner Gulbransen should commence within the confines of the 120 day time frame as clarified herein.

DATED: January 4, 2011.



PHILIP M. PRO
United States District Judge